

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

455J0384

## HOUSE BILL NO. 1053

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to increase liquidated court costs.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 23-3-52 be amended to read as follows:

4 23-3-52. In addition to any other penalty, assessment, or fine provided by law, there shall  
5 be levied liquidated costs in the amount of ~~twenty-seven~~ thirty-three dollars for partial  
6 reimbursement to state government and its subdivisions for law enforcement and judicial  
7 expenses incurred in providing the personnel, training, and facilities relative to the criminal  
8 justice system and to the 911 emergency reporting system, on each conviction for the following:

9 (1) Violation of state statutes or regulations having criminal penalties; or

10 (2) Violation of county or municipal ordinances.

11 If a fine is suspended in whole or in part, the liquidated costs for law enforcement and  
12 training may not be reduced, except that the judge may waive all or any part of the payment of  
13 liquidated costs which would work a hardship on the person convicted or on the person's  
14 immediate family.

15 Section 2. That § 23-3-53 be amended to read as follows:



1        23-3-53. After a determination by the court of the amount due, the clerk of courts shall  
2        collect the amount due and transmit such amount monthly to the state treasurer. The state  
3        treasurer shall place ~~seventeen~~ twenty-three dollars of the ~~twenty-seven-dollar~~ thirty-three-dollar  
4        fee into the law enforcement officers training fund, six dollars of the ~~twenty-seven-dollar~~ thirty-  
5        three-dollar fee into the court appointed attorney and public defender payment fund, two dollars  
6        of the ~~twenty-seven-dollar~~ thirty-three-dollar fee into the court appointed special advocates fund,  
7        one dollar of the ~~twenty-seven-dollar~~ thirty-three-dollar fee into the 911 telecommunicator  
8        training fund, and one dollar of the ~~twenty-seven-dollar~~ thirty-three-dollar fee into the abused  
9        and neglected child defense fund.